

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROGER EGAN,

Plaintiff,

-against-

MARSH & MCLENNAN COMPANIES, INC.,

Defendant.

No. 07 Civ. 7134 (SAS)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed affidavit of Robert N. Holtzman, Esq., the exhibits attached thereto, and the accompanying memorandum of law, defendant Marsh & McLennan Companies, Inc. will move this Court before the Honorable Shira A. Scheindlin, United States District Judge, at a time convenient for the Court, at the United States Courthouse, 500 Pearl Street, Courtroom 15C, New York, New York, for an Order:

- (a) dismissing, pursuant to Federal Rule of Civil Procedure 12(b)(6), the First Cause of Action of the above-captioned action to the extent plaintiff seeks benefits under the Marsh USA Inc. Severance Pay Plan and the Marsh Inc. Fall 2004 Standard Severance Plan;
- (b) dismissing, pursuant to Federal Rule of Civil Procedure 12(b)(6), the Second, Third and Fourth Causes of Action; and

(c) granting such other relief as the Court may deem just and proper.

Dated: New York, New York
September 10, 2007

KRAMER LEVIN NAFTALIS & FRANKEL LLP

By: s/ Robert N. Holtzman
Barry H. Berke (BB 1421)
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All communications should be referred to:

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